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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

10 In re: Acacia Media Technologies Corp. NO. C 05-01114 JW  
NO. M 05-01665 JW

11 **AMENDED JUDGMENT**

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15 Pursuant to the Court's October 23, 2009 Amended Order Granting Defendants' Motions for  
16 Summary Judgment (hereafter, "October 23 Order," Docket Item No. 354), there has now been an  
17 adjudication of all of the claims asserted by Plaintiff Acacia Media Technologies Corp. ("Acacia")  
18 against all of the remaining Defendants in this MDL proceeding. The Defendants are: Echostar  
19 Satellite LLC, Echostar Technologies Corp., DIRECTV Group, Inc., Time Warner Cable Inc., CSC  
20 Holdings, Inc., Hospitality Network, Inc., Cable America Corp., Comcast Cable Communications  
21 LLC, Coxcom Inc., Insight Communications Company, Inc., Charter Communications, Inc. (solely  
22 to the extent authorized by the Bankruptcy Court), Armstrong Group, Wide Open West LLC, Block  
23 Communications Inc., East Cleveland Cable TV and Communications LLC, Massillon Cable TV  
24 Inc., NPG Cable Inc., Mid-Continent Media, Inc., US Cable Holdings LP, Sjoberg's Cablevision,  
25 Inc., Savage Communications Inc., Loretel Cablevision, Cannon Valley Communications, Inc.,  
26 Arvig Communication Systems, Cable One, Inc., Mediacom Communications Corporation, Bresnan  
27 Communications, Cequel III Communications I, LLC (dba Cebridge Connections), Game Link Inc.,  
28 ACMP LLC, Cybernet Ventures Inc., Global AVS Inc., National A-1 Advertising Inc., AEBN Inc.,

1 Ademla Multimedia LLC, Audio Communications Inc., Cyber Trend Inc., Innovative Ideas  
2 International, Adult Revenue Service, Lightspeed Media Group Inc., New Destiny Internet Group  
3 LLC, VS Media Inc., Offendale Commercial Limited BV, AskCS.com, Inc., and International Web  
4 Innovations Inc. (collectively referred to in this Judgment as “Defendants”).

5 First, for the reasons set forth in the October 23 Order, with respect to Defendants’  
6 counterclaims of invalidity under 35 U.S.C. § 112, ¶ 2 as to U.S. Patent Nos. 5,132,992 (“‘992  
7 Patent”), 5,550,863 (“‘863 Patent”), 6,002,720 (“‘720 Patent”), and 6,144,702 (“‘702 Patent”),  
8 respectively, judgment is entered in favor of Defendants and against Acacia. The Court declares  
9 U.S. Patent Nos. ‘992, ‘863, ‘720, and ‘702 invalid.

10 Second, for the reasons set forth in the October 23 Order, with respect to Acacia’s claims for  
11 infringement and Defendants’ counterclaims for a declaration of non-infringement of the ‘992, the  
12 ‘863, the ‘720, and the ‘702 Patents, judgment is entered in favor of Defendants against Acacia. The  
13 Court declares that U.S. Patent Nos. ‘992, ‘863, ‘720, and ‘702 not infringed by Defendants.

14 Third, because Acacia has voluntarily withdrawn all asserted claims of U.S. Patent No.  
15 5,253,275 (“‘275 Patent”), judgment is entered in favor of Defendants and against Acacia on  
16 Acacia’s claims for infringement and on Defendants’ counterclaims for declaration of  
17 non-infringement of the ‘275 patent.

18 Fourth, Acacia’s state law claims and Defendants’ remaining counterclaims are dismissed  
19 without prejudice.

20 The Court declares that Defendants are the prevailing parties and are entitled to recover costs  
21 of suit. Accordingly, the Court finds that there is no just reason for delay of entry of final judgment  
22 in favor of Defendants and against Plaintiff Acacia. This is a full and final adjudication of all issues  
23 before this Court.

24  
25 Dated: November 5, 2009

  
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JAMES WARE  
United States District Judge

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**United States District Court**

For the Northern District of California

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5 **Dated: November 5, 2009**

**Richard W. Wieking, Clerk**

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7 **By: /s/ JW Chambers**

8 **Elizabeth Garcia**

9 **Courtroom Deputy**

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